

REMARKS

In response to the above-identified Final Office Action, Applicants amend the Application and seek reconsideration in view of the following remarks. In this Response, Applicants amend claims 10, 12, and 15, and add new claims 31-36. Accordingly, claims 10-18, 22, 24, 26, 28, and 30-36 are pending in the Application.

I. Claims Rejected Under 35 U.S.C. § 103

Claims 10-18, 22, 24, 26, 28, and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Application Publication No. 2004/0054866 filed by Blumenau et al. (“*Blumenau*”) in view of U.S. Patent No. 6,209,059 issued to Ofer et al. (“*Ofer*”) and U.S. Patent No. 5,832,304 issued to Bauman et al. (“*Bauman*”). Applicants respectfully traverse the rejection, at least in view of the amendments to independent claim 10.

To render a claim obvious, the cited references must teach or suggest each and every element of the rejected claim (*see* MPEP § 2143). Among other elements, amended claim 10 defines a method for processing data comprising the elements of: “so that an order of arrival of the conveyed converted commands at the specific LU complies with the order of arrival of the received command at the given port” and “wherein concurrent commands from different ports arrive at the specific LU in an arbitrary order of arrival” (emphasis added). Applicants submit that the combination of *Blumenau*, *Ofer*, and *Bauman* fails to teach or suggest at least these elements of claim 10.

In making the rejection, the Patent Office does not cite the combination of *Blumenau* and *Ofer* as teaching or suggesting the elements of: “so that an order of arrival of the conveyed converted commands at the specific LU complies with the order of arrival of the received command at the given port” and “wherein concurrent commands from different ports arrive at

the specific LU in an arbitrary order of arrival,” as recited in claim 10. Moreover, in reviewing the combination of *Blumenau* and *Ofer*, Applicants are unable to discern any sections of *Blumenau* and/or *Ofer* teaching or suggesting such elements. Therefore, the combination of *Blumenau* and *Ofer* fails to teach or suggest each and every element of claim 10. The Patent Office relies on the disclosure in *Bauman* to cure the defects of *Blumenau* and/or *Ofer*; however, Applicants submit that *Bauman* fails to cure such defects.

When rejecting claim 10, the Patent Office does not cite *Bauman* as teaching or suggesting the elements of: “wherein concurrent commands from different ports arrive at the specific LU in an arbitrary order of arrival,” as amended into claim 10. In fact, the Patent Office characterizes *Bauman* as disclosing that “each individual queue is a FIFO and the commands are executed from the parallel queues with some type of priority (e.g., ratio)” (Paper No./Mail Date 20090310, page 4). As such, Applicants submit that the Patent Office is effectively admitting that the commands in *Bauman* do not arrive at an LU “in an arbitrary order of arrival,” as amended into claim 10 since arrival of commands “with some type of priority” cannot be arbitrary. Moreover, in reviewing *Bauman*, Applicants are unable to discern any sections of *Bauman* teaching or suggesting the elements of: “wherein concurrent commands from different ports arrive at the specific LU in an arbitrary order of arrival,” as amended into claim 10. Therefore, *Bauman* fails to cure the defects of *Blumenau* and/or *Ofer*.

The failure of the combination of *Blumenau*, *Ofer*, and *Bauman* to teach or suggest each and every element of claim 10 is fatal to the obviousness rejection. Therefore, claim 10 is not obvious over *Blumenau* in view of *Ofer* and *Bauman*. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claim 10.

Claims 11-18, 22, 24, 26, 28, and 30 depend from claim 10 and include all of the elements thereof. Therefore, Applicants submit that claims 11-18, 22, 24, 26, 28, and 30 are not obvious over *Blumenau* in view of *Ofer* and *Bauman* at least for the same reasons as claim 10, in addition to their own respective features. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 11-18, 22, 24, 26, 28, and 30.

II. Claim Amendments

Applicants have amended claims 12 and 15 to correct inadvertent typographical errors and not for reasons related to patentability.

III. New Claims

Applicants have added new claims 31-36, which each recite elements similar to claim 10. In view of the discussion above, Applicants submit that claims 31-36 are not obvious over *Blumenau* in view of *Ofer* and *Bauman* at least for the same reasons as claim 10 discussed above, in addition to their own respective features. That is, Applicants believe that claims 31-36 are in condition for allowance.

CONCLUSION

In view of Applicants' amendments and remarks, it is respectfully submitted that the Patent Office's rejections have been overcome. Accordingly, Applicants respectfully submit that the Application, as amended, is now in condition for allowance, and such allowance is therefore earnestly requested. Should the Patent Office have any questions or wish to further discuss this Application, Applicants request that the Patent Office contact Applicants' attorney at the below-listed telephone number.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this Response and/or for the extension necessary to prevent abandonment on this Application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 090449 for any fee which may be due.

Respectfully submitted,

GRIFFITHS & SEATON PLLC

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By: /JOHN A. GRIFFITHS/
John A. Griffiths
Reg. No. 57654
(480) 393-0734
Customer No. 85071